

APPENDIX X. (s. 67 G 5)

(*Vide* G. R. No. 8823, dated 12th September 1906 'R. D. given under Section 67 and G. R. No. 4016, dated 19th April 1907 R. D.)

Form of Agreement under section 67 of the Bombay Land-Revenue Code, 1879 in cases of appropriation of agricultural lands for the manufacture of bricks.

An agreement made this the _____ day of _____ one thousand nine hundred and _____ between the Secretary of State for India in Council (hereinafter referred to as "the Secretary of State" which expression shall include his successors and assigns) of the one part and _____ inhabitant of _____ (hereinafter referred to as "the applicant" which expression shall include his heirs, executors, administrators and assigns) of the other part

2. Whereas the applicant being the registered occupant of survey number _____ situate in deh _____ in the _____ taluka of the _____ district has applied to the Collector of _____ (hereinafter referred to as "the Collector") under section 65 of the Bombay Land-Revenue Code, 1879 (hereinafter referred to as "the said Code") for permission to appropriate to the purpose of the manufacture of bricks the plot of land (hereinafter referred to as "the said land ") indicated by the letters _____ on the site plan hereto annexed forming part of the survey number aforesaid and measuring in superficial area _____ square yards be the same a little more or less

3. And whereas the Collector has been authorised by Government to grant under section 67 of the said Code the permission applied for subject to the provisions of the said Code and the rules and orders thereunder and to the terms and conditions hereinafter contained,

4. Now it is hereby agreed between the Secretary of State and the applicant that permission to appropriate the said land to the purposes of the manufacture of bricks shall be and it is hereby granted to the applicant for a term of _____ years (hereinafter referred to as "the said term ") commencing on the _____ day of _____ one thousand nine hundred and _____ and ending on the _____ day of _____ one thousand nine hundred and _____ subject to the provisions of the said Code and the rules and orders thereunder and on the following special terms and conditions, namely :—

- (a) The applicant shall in lieu of the present assessment leviable in respect of the said land pay to Government without deduction on the _____ day of _____ in each and every successive year during the said term an annual assessment of _____ rupees (Rs. _____ only) or

in composition therefor a lump sum of _____ rupees
 (Rs. _____ only) being _____ times the annual assess-
 ment fixed as aforesaid ;

- (b) Earth shall not be excavated to a depth of more than _____ feet below the general level of the said land and the excavation shall be carried out in such manner as not to make the said land unfit for cultivation after the expiry of the said term
- (c) The surface of the said land shall be made level and all bricks, kilns and other materials used for the purposes of the manufacture of the bricks shall be removed from the said land before the expiry of the said term : and in default thereof the Collector may cause such levelling or removal to be carried out at the expense of the applicant without prejudice to any other penalty to which the applicant may by reason of such default become liable under the provisions of the said Code or the rules or orders thereunder.

And it is also agreed between the Secretary of State and the applicant that the expression "the Collector" wherever it occurs in his agreement shall be deemed to mean the Collector of the

_____ district for the time being or any other officer whom the Governor of Bombay in Council or the Commissioner* or such Collector directs to exercise the powers or to perform the duties of the Collector under this agreement.

In witness whereof _____ Esquire, Collector of _____ hath by order of the Governor of Bombay in Council hereunto set his hand and the seal of his office for and on behalf of the Secretary of State and the applicant hath hereunto set his hand the day and year first above written.

Signed, Sealed, and Delivered by the _____

above-named _____

Esquire, Collector of _____

In the presence of _____

Signed and Delivered by the above-named _____

In the presence of _____

* in Sind or N. D., C. D. or S. D., as the case may be,